



PATENT
670001-2002.4
USSN 09/804,980

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Andersen
Serial No. : 09/804,980
Filed : March 13, 2001
Title : M. TUBERCULOSIS ANTIGENS
Group Art Unit : 1645
Examiner : Rodney P. Swartz

745 Fifth Avenue, New York, NY 10151

EXPEDITED PROCEDURE
RESPONSE AFTER FINAL ACTION
UNDER 37 C.F.R. §1.116

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MAIL STOP AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action mailed February 10, 2004 setting a three-month period for reply.

Claims 1-6, 9-11, 26, 28, 30, and 32 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-9 and 18-30 of U.S. Patent No. 5,955,077 ("the '077 patent). For the purposes of expediting prosecution, without any admission, without any prejudice, without surrender of subject matter, without any